



## MEMORANDUM

### City of Angels Planning Commission

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**Date:** October 10, 2024

**To:** City of Angels Planning Commissioners

**From:** Amy Augustine, AICP – City Planner

**RE:** RESOLUTION OF INTENT 24-13 recommending to the City Council approval of a General Plan Amendment removing General Plan 2020 Implementation Program 7.B.m requiring no net increase in wastewater connections

#### **Recommendation:**

Approve Resolution of Intent 24-13 recommending to the City Council approval of a General Plan Amendment removing General Plan 2020 Implementation Program 7.B.m requiring no net increase in wastewater connections.

#### **Background:**

The City of Angels adopted General Plan 2020 February 3, 2009 and has adopted various updates to the General Plan since. Per California Government Code, Section 65358(b), a jurisdiction may amend a mandatory element of the General Plan up to four times annually. In 2024, the City amended the City's Circulation Element [City Council Resolution 24-28, March, 2024]. The City's Public Facilities and Services Element (which includes the subject Implementation Program 7.B.m) is considered a mandatory element herein, because it includes some general plan-required topics required under the Circulation Element (e.g., the extent of existing and proposed public utilities and facilities consistent with the Land Use Element)<sup>1</sup>. Therefore, the proposed amendment to the Public Utilities Element is being treated as a second amendment to a mandatory general plan amendment in the calendar year - - consistent with state law.

The environmental impact report for General Plan 2020 included a mitigation measure restricting new connections to the City's wastewater system due, primarily, to system delivery constraints related to inflow and infiltration (I/I) and a bottleneck. In response, the following implementation program was adopted as both a mitigation measure and implementation program for General Plan 2020:

#### ***7.B.m At Capacity Wastewater Systems***

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<sup>1</sup> Government Code Section 65302

*[2020 GENERAL PLAN MITIGATION MEASURE, MM-UTILITY-02]*

*The city shall implement a process requiring no net increase in wastewater connections in conjunction with adoption of the 2020 General Plan in the areas connecting to the system identified as "at capacity" in 2020 General Plan Appendix 7J) The program will remain effect until the following is completed:*

*A new sewer line is constructed to serve the North End of Angels Camp (north of SR 4) including all sewer lines currently served by the Altaville Lift Station and discharge has been rerouted from the Altaville Lift Station to the new line freeing up capacity in the Altaville Sewer Line (which also has been identified as "at capacity" by the City). The route of the new sewer line shall be evaluated pursuant to a separate environmental evaluation once a route has been determined. The City anticipates securing funding through bonds or alternative financing with creation of a Benefit Basin to recapture costs over time. All parcels connecting to the new line and in areas served by the current Altaville Lift Station shall be included in the Benefit Basin.*

The preceding program was refined through additional system engineering, and it was determined that removing the "bottleneck" along the sewer line serving the north end of Angels Camp would achieve the same effect as constructing a new sewer line. That bottleneck restricting flow/delivery was located at Booster Way. The City completed the Booster Way sewerline improvement project in September, 2024. With completion of the Booster Way sewerline improvement project, the "no net increase" limitation on new sewer connections is no longer required. Therefore, Implementation Program 7.B.m, can be removed from General Plan 2020.

Please note that the following General Plan Implementation Program will remain in the General Plan should the City encounter future wastewater storage, treatment or delivery constraints:

***7.B.j Maintain Sufficient Water and Wastewater Capacity***

***[2020 GENERAL PLAN MITIGATION MEASURE, MM-UTILITY-01]***

*If insufficient wastewater storage, treatment, or delivery capacity exists to serve existing commitments and new development, then the city will implement a policy of no net increase in wastewater connections until sufficient wastewater capacity has been established to service existing commitments and new development.*

*If insufficient water storage, treatment or delivery capacity exists to serve existing commitments and new development, then the city will implement a policy of no net increase in water connections until sufficient water treatment facilities are established to service existing commitments and new development.*

**Strategic Plan Alignment**

*Program A6 – Public Facilities and Services - Continue to improve Angels Camp's capacity to store, treat, and deliver water and to collect and treat wastewater as necessary to achieve the stated goals of the city.*

The general plan program was specifically designed to address this strategic plan goal. Removing that implementation program from the general plan reflects a significant City achievement in achieving this goal and removing a long-time development constraint.

**Discussion/Findings**

Pursuant to Angels Municipal Code (AMC) 17.90.040, general plan amendments require the following findings:

1. The amendment is consistent with the City of Angels Municipal Code; and
2. The proposed change or amendment is consistent with the City of Angels General Plan; and
3. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the City.

The purpose of Implementation Program 7.B.m was to protect the City health, safety, and general welfare until the potential risks of overburdening the city's wastewater system was removed. Consistent with the General Plan Implementation Program (and, therefore consistent with the general plan), the constraint has been removed with completion of the Booster Way sewerline improvement project. This proposed general plan amendment is being completed consistent with AMC Section 17.90.040 and is, therefore, consistent with the City of Angels Municipal Code.

Based on the preceding, the required findings can be made.

**Financial Impact**

No impact.

**Environmental**

Pursuant to the state and City guidelines for implementing the California Environmental Quality Act (CEQA), the proposed amendment is exempt from further review, because the proposed amendment reflects the implementation of a program and mitigation measure identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan.

**Attachments**

Planning Commission Resolution of Intent 24-13

**CITY OF ANGELS**

**PLANNING COMMISSION**

**RESOLUTION OF INTENT 24-13**

**RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT  
REMOVING GENERAL PLAN 2020 IMPLEMENTATION PROGRAM 7.B.M REQUIRING NO NET  
INCREASE IN WASTEWATER CONNECTIONS**

**WHEREAS**, pursuant to Angels Municipal Code Section 17.90.020, the Planning Commission may initiate a general plan amendment by Resolution of Intent; and

**WHEREAS**, the City completed the Booster Way Sewer Rehabilitation Project in September, 2024; and

**WHEREAS**, that action completed and fulfilled the requirements of the mitigation measure and implementation program identified in General Plan Implementation Program 7.B.m; and

**WHEREAS**, the program requirements prohibiting no net increase in wastewater connections are no longer necessary and can be removed; and

**WHEREAS**, on October 10, 2024, the Planning Commission, at a regularly scheduled meeting, did review and consider the proposed general plan amendment;

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission of the City of Angels hereby recommends to the City Council approval of a general plan amendment removing General Plan 2020 Implementation Program 7.b.m requiring no net increase in wastewater connections based on the following findings:

1. The amendment is consistent with the City of Angels Municipal Code; and
2. The proposed change or amendment is consistent with the City of Angels General Plan; and
3. The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the City.
4. The proposed amendment is exempt from further review pursuant to the state and city CEQA guidelines because the proposed amendment reflects the implementation of a program and mitigation measure identified within the scope of the 2020 General Plan Environmental Impact Report adopted for the 2020 General Plan

The foregoing resolution was introduced and moved for adoption October 10, 2024, by \_\_\_\_\_ and duly seconded by Commissioner \_\_\_\_\_.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of October, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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John Broeder, Chair

ATTEST: \_\_\_\_\_

Caytlyn Schaner, Deputy City Clerk



**HOME OF THE JUMPING FROG**